

1 ALEX G. TSE (CABN 152348)
United States Attorney

2 BARBARA J. VALLIERE (DCBN 439353)
3 Chief, Criminal Division

4 ROSS WEINGARTEN (NYBN 5236401)
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055
7 San Francisco, California 94102-3495
Telephone: (415) 436-6747
FAX: (415) 436-7234
Ross.weingarten@usdoj.gov

8 Attorneys for United States of America

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12
13 UNITED STATES OF AMERICA,) CASE NO. CR 18-483 SI
14 Plaintiff,)
15 v.) STIPULATION AND [PROPOSED] ORDER
16 DEREKE HOLDEN and) EXCLUDING SPEEDY TRIAL TIME FROM
17 JOSE SOTOMAYOR,) JANUARY 11, 2019 TO MARCH 8, 2019
18 Defendants.)
19 _____)

The parties, through their counsel of record, stipulate as follows:

1. The defendants, Dereke Holden and Jose Sotomayor, represented by their attorneys Alexander Davis and Lara Kollios, respectively, and the government, represented by Ross Weingarten, appeared on January 11, 2019 for a status conference in District Court.
 2. The government has provided discovery in this case and informed the Court that productive plea negotiations are ongoing. The defendants informed the court that they are continuing to review the discovery.
 3. The Court set a hearing on March 8, 2019 at 11:00 a.m. On that date, the defendants will either change their pleas or the parties will set dates for a motion schedule or trial.
 4. In order to allow for the effective preparation of counsel for the defendants, the parties agree that time should be excluded under the Speedy Trial Act between January 11, 2019 and March 8, 2019.

IT IS SO STIPULATED.

Dated: January 14, 2019

/s/
DAVID CALLAWAY
ALEXANDER DAVIS
Attorney for Defendant Dereke Holden

Dated: January 14, 2019

/s/
LARA KOLLIOS
Attorney for Defendant Jose Sotomayor

Dated: January 14, 2019

/s/
ROSS WEINGARTEN
Assistant United States Attorney

(PROPOSED) ORDER

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between January 11, 2019 and March 8, 2019 would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between January 11, 2019 and March 8, 2019 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time between January 11, 2019 and March 8, 2019 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: January __, 2019

HONORABLE SUSAN ILLSTON
United States District Judge